

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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February 10, 2004

FROM: BRIAN McCORMICK
Public Administrator-Coroner

**SUBJECT: SCHEDULE PUBLIC HEARING TO CONSIDER PROPOSED BODY REMOVAL
FEE INCREASE**

RECOMMENDATION: Schedule a public hearing for March 2, 2004 at 10:00 a.m. and direct the Clerk of the Board to publish a Notice of Hearing and mail copies of the Notice of Hearing to area mortuaries and cremation societies regarding the fee increase for body removal by the Coroner.

BACKGROUND INFORMATION: During the adoption of the current budget in June 2003, a policy item was addressed which evaluated the benefits and deficits of contracting out body removal services compared to "in house" body removal. At that time, it was identified that a fee increase for body removal was possible, and that an item addressing a fee increase would be forthcoming.

California Government Code § 27472 allows counties to recover full costs of body removal from the public as appropriate, not to exceed \$100. Although the local cost for body removal has exceeded the \$100 cap, the County has charged this fee in accordance with the Code for 20 years. Notwithstanding the \$100 cap, Government Code § 54985 grants the authority to a county board of supervisors to increase a fee or charge in an amount reasonably necessary to recover the cost of providing any product or service. This hearing would be scheduled to consider an increase in the body removal fee to \$185, and to amend the corresponding County ordinance to reflect this increase. The proposed fee increase does not fully recover the cost of body transport; the Department believes that charging the full cost would impose a significant financial burden upon County residents in need of these services.

Item	Actual Cost	Proposed Fee
Supervising Deputy Coroner		
Salary – 15 minutes	\$9.62	
Benefits – 15 minutes	\$3.24	
Indirect cost @ 1.3117	\$16.87	
Staff Analyst – Contract Administrator		
Salary – 1,504 Removals	\$37.77	
Benefits – 1,504 Removals	\$12.51	
Indirect Cost @ 1.3117	\$65.95	
Southwest Removal Contract	\$176.00	\$176.00
Body Bag/Toe Tag	\$9.28	\$9.00
Cost Per Body Removal	\$331.24	\$185.00

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BOARD OF SUPERVISORS**SCHEDULE PUBLIC HEARING TO CONSIDER PROPOSED BODY REMOVAL FEE INCREASE**

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The cost per decedent listed under the Southwest Body Removal Contract was determined using the total cost of decedent removal in a quarter (July 8, 2003 to September 30, 2003), divided by the total number of decedents removed during that quarter (\$62,209.00 ÷ 353 decedents). Agencies in the four contiguous counties were contacted to determine the amount each agency is currently charging the public for decedent removal services. The findings are as follows:

Los Angeles County	\$200
Orange County	\$236
Riverside County	\$100
San Diego County	\$173

The proposed fee of \$185 for San Bernardino County is consistent with the range of fees charged in the contiguous counties for the same service.

Although the Board of Supervisors is authorized to enact a greater-than-prescribed fee by the Government Code, the Legislature has not streamlined the procedure for doing so, and different statutes can be reasonably interpreted to impose overlapping and slightly varying notice, publication and posting requirements, as noted below:

1. Pursuant to Government Code § 54986(a): On or before February 17, 2004 (14 days prior to the March 2 Board meeting), mail copies of the "Notice and Summary" to all those who have requested notice in writing. On or before February 21, 2004 (10 days prior to the March 2 Board meeting), make copies of the "Notice and Summary" available to the public.
2. Pursuant to Government Codes § 66018 and § 6062(a): Cause the "Notice and Summary" to be published twice in a San Bernardino County newspaper that is regularly published once a week or more often; the first publication to occur on or before February 21, 2004 (10 days prior to the Board meeting), and the second publication to occur between February 24, 2004 and February 28, 2004 (at least five intervening days after the first publication).
3. Pursuant to Government Code § 25124: At least 5 days prior to adoption of the ordinance and by 15 days after adoption of the ordinance, cause a copy of the summary to be published in a newspaper in San Bernardino County.

REVIEW AND APPROVAL BY OTHERS: This item has been reviewed by County Counsel (Charles Larkin, Deputy County Counsel, 387-5433) on February 2, 2004 and the County Administrative Office (Marcia Faulkner, Administrative Analyst, 387-5408) on February 2, 2004.

FINANCIAL IMPACT: The resulting revenue from the increased fee would be \$20,060 for the remainder of FY 2003-2004, and \$80,240 for FY 2004-2005.

SUPERVISORIAL DISTRICT(S): All

PRESENTER: Brian McCormick, Coroner 387-2536

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